

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

15436.861.2a.1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/549952

INTERNATIONAL APPLICATION NO.
PCT/SE2004/00368

INTERNATIONAL FILING DATE
March 12, 2004

PRIORITY DATE CLAIMED
March 21, 2003

TITLE OF INVENTION

AN OPTICAL MODULATOR AND A METHOD FOR ADAPTING AN OPTICAL MODULATOR

APPLICANT(S) FOR DO/EO/US

ERIKSSON, Urban and LEWEN, Robert


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Express Mailing Label No.: EV 680 212 572 US; Postcard

U.S. APPLICATION NO (if known, see 37 CFR 1.55) 10/549952		INTERNATIONAL APPLICATION NO. PCT/SE2004/00368		ATTORNEY'S DOCKET NUMBER 15436.861.2a.1		
The following fees are submitted:				CALCULATIONS	PTO USE	
24. <input checked="" type="checkbox"/> Basic national fee		\$300		\$ \$300.00		
25. <input checked="" type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).		\$100		\$ \$200.00		
All other situations.		\$200				
26. <input checked="" type="checkbox"/> Search fee		\$100				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$400				
International Search Report prepared and provided to the Office		\$500		\$ \$500.00		
All other situations.		\$500				
TOTAL OF 24, 25 and 26 =				\$ \$1,000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE		
27 - 100 =	0 /50 =	0		x \$250.00	\$ \$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ \$130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA		RATE		
Total claims	10 - 20 =	0		x \$50.00	\$ \$0.00	
Independent claims	2 - 3 =	0		x \$200.00	\$ \$0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> +				\$360.00	\$ \$360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ \$1,490.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ \$0.00		
SUBTOTAL =				\$ \$1,490.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ \$0.00		
TOTAL NATIONAL FEE =				\$ \$1,490.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ \$0.00		
TOTAL FEES ENCLOSED =				\$ \$1,490.00		
				Amount to be	\$	
				Amount to be	\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3178 . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO: R. BURNS ISRAELSEN WORKMAN NYDEGGER 1000 Eagle Gate Tower 60 E. South Temple SLC, UT 84111 Customer No.: 022913						
				 SIGNATURE R. BURNS ISRAELSEN NAME 42,685 REGISTRATION NUMBER		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/549952
JC17 Rec'd PCT/PTO 20 SEP 2005

In re application of)
)
Urban Eriksson, et al.)
)
Serial No.: Unknown) Art Unit
) Unknown
Confirmation No.: Unknown)
)
Filed: September 20, 2005)
)
For: AN OPTICAL MODULATOR AND A METHOD)
FOR ADAPTING AN OPTICAL MODULATOR)
)
Examiner: Unknown)

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited in the name of FINISAR CORPORATION for "AN OPTICAL MODULATOR AND A METHOD FOR ADAPTING AN OPTICAL MODULATOR" with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in the envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of September 2005:

- Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371
- Information Disclosure Statement
- PTO-2038 Credit Card Payment Form in the amount of \$1,490.00
- Copy of the International Search Report
- Postcard

Respectfully submitted,

MELANIE A. PARKER, PARALEGAL



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